

165 FERC ¶ 61,210
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Neil Chatterjee, Chairman;
Cheryl A. LaFleur and Richard Glick.

South Carolina Electric & Gas Company
South Carolina Generating Company, Inc.

Docket No. ES18-59-001

ORDER ON CLARIFICATION

(Issued December 6, 2018)

1. In an October 17, 2018 order, the Commission granted South Carolina Electric & Gas Company (SCE&G) and South Carolina Generating Company, Inc. (GENCO) (together, Applicants) authorization to issue short-term debt securities and for SCE&G to assume liabilities as a guarantor.¹ Applicants seek clarification, or in the alternative, rehearing that Applicants are not required to file a Report of Securities Issued under sections 34.9, 131.43, and 131.50 of the Commission's regulations.² For the reasons discussed below, we grant Applicants' request for clarification.

I. Background

2. On August 22, 2018, Applicants filed a joint application pursuant to section 204 of the Federal Power Act (FPA)³ seeking authorization to issue short-term debt securities, and for SCE&G to assume liabilities as a guarantor. In the October 17 Order, the Commission granted the authorization requested by Applicants for one year from the date of the order. In Ordering Paragraph (F), the Commission required that "Applicants must file a Report of Securities Issued, under 18 C.F.R. §§ 34.9, 131.43, and 131.50 (2018), no

¹ *South Carolina Electric & Gas Co.*, 165 FERC ¶ 61,032 (2018) (October 17 Order).

² 18 C.F.R. §§ 34.9, 131.43, and 131.50 (2018).

³ 16 U.S.C. § 824c (2012).

later than 30 days after the sale or placement of long-term debt securities or the entry into guarantees or assumption of liabilities.”⁴

3. Applicants request clarification that they need not submit such a Report of Securities Issued because their long-term debt securities are regulated by the State of South Carolina, and they did not seek Commission authorization to issue long-term debt in their Application. Applicants assert that the scope of Ordering Paragraph (F)’s reporting requirements exceeds the scope of the authorization requested by Applicants.

II. Commission Determination

4. We grant Applicants’ request for clarification. We find that the requirement in Ordering Paragraph (F) to file a Report of Securities Issued, under 18 C.F.R. §§ 34.9, 131.43, and 131.50 (2018), no later than 30 days after the sale or placement of long-term debt securities or the entry into guarantees or assumption of liabilities, does not apply to Applicants because it exceeds the scope of the authorization requested by Applicants and granted by the Commission.

The Commission orders:

Applicants’ request for clarification is hereby granted.

By the Commission. Commissioner McIntyre is not voting on this order.

(S E A L)

Kimberly D. Bose,
Secretary.

⁴ October 17 Order, 165 FERC ¶ 61,032 at ordering para. (F).